

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION**

ZAPIER, INC.,

Plaintiff,

v.

CLICKDESK, INC.; AGILE CRM;
MANOHAR CHAPALAMADUGU, an
individual; and DOES 1-10,

Defendants.

Case No. 4:22-cv-04811-JSW

~~PROPOSED~~ ORDER GRANTING
PLAINTIFF ZAPIER, INC.'S MOTION
FOR LEAVE TO EFFECT
ALTERNATIVE SERVICE ON
DEFENDANTS CLICKDESK, INC.,
AGILE CRM, MANOHAR
CHAPALAMADUGU AND TO
EXTEND TIME TO SERVE
DEFENDANTS AS MODIFIED HEREIN

Date: January 6, 2023

Time: 9:00 a.m.

Judge: Hon. Jeffrey S. White

Location: Courtroom 5 – 2nd Floor
1301 Clay Street
Oakland, CA 94612

THIS COURT, having considered the papers filed in support of Plaintiff Zapier, Inc.'s ("Plaintiff") Motion pursuant to Rules 4(f)(3), 4(h)(2) and 4(e)(1) of the Federal Rules of Civil Procedure for an order permitting Plaintiff to effectuate alternative service on Defendants Clickdesk, Inc., Agile CRM, and Manohar Chapalamadugu (collectively, "Defendants") by email and social media and for an order extending Plaintiff's service deadline; and for good cause shown, the Court hereby enters the following Order:

IT IS HEREBY ORDERED that said Motion is GRANTED on the grounds that Plaintiff's proposed methods of service are "reasonably calculated to notify" Defendants "of the pendency of the action" and afford them an opportunity to present their answer and defenses to the charges against them; and such methods are "not prohibited by international agreement." *Rio Properties, Inc. v. Rio Intern. Interlink*, 284 F.3d 1007, 1015 (9th Cir. 2002). Accordingly, pursuant to Rules 4(f)(3), 4(h)(2) and 4(e)(1) of the Federal Rules of Civil Procedure, Plaintiff may effectuate service of the Summons (Doc. No. 6), Plaintiff's Complaint (Doc. No. 1), Order Setting Initial Case Management Conference and ADR Deadlines (Doc. No. 7), Order Reassigning Case (Doc. No. 10), Order Setting Case Management Conference and Requiring Joint Case Management Conference Statements (Doc. No. 11), a copy of the Standing Order for All Judges of the Northern District of California re: Contents of Joint Case Management Statement, a copy of Judge White's Civil Standing Orders, and a copy of the Consent or Declination to Magistrate Judge Jurisdiction form (collectively, the "Service Documents") via the following methods:

1. Emailing the Service Documents to:

- Defendant Clickdesk, Inc. at info@clickdesk.com and support@clickdesk.com; and
- Defendant Agile CRM at care@agilecrm.com and sales@agilecrm.com.

2. Sending a message containing a hyperlink to an online repository containing the Service Documents to Defendant Manohar Chapalamadugu ("Chapalamadugu") personally via three social media accounts:

- Chapalamadugu's LinkedIn account located at:
<https://in.linkedin.com/in/manoharchapalamadugu>;


- Chapalamadugu's Twitter account located at:
https://twitter.com/chapalamadugu; and
- Chapalamadugu's Facebook account located at:
https://www.facebook.com/manohar.chapalamadugu.9/.

The Court further instructs Plaintiff's counsel to file with this Court a Notice of Electronic Service of Process supported by a signed Declaration confirming the date, time, and manner in which service was effectuated -- which shall be defined as the transmission of the Service Documents upon the Defendants to the referenced e-mail addresses and social media accounts as noted above. Plaintiff shall file this notice within fourteen days of this Order.

The Court further GRANTS Defendants request for an order extending Plaintiff's service deadline. Plaintiff shall have six months from the date of this Order to effectuate service on Defendants. The Court FURTHER ORDERS that Plaintiff shall continue to pursue service on Defendants via the Hague Convention. Finally, the Court reminds Plaintiff to email a Microsoft Word version of all proposed orders to JSWPO@cand.uscourts.gov

IT IS SO ORDERED.

DATED: December 5, 2022, 2023


Hon. Jeffrey S. White
United States District Court Judge